

III. REMARKS

Claims 1-3, 5-12, 15-17 and 19-22 are pending in this application. Claims 1, 10 and 17 are amended. Claim 8 is canceled. Claims 4, 13-14, and 18 were previously canceled. Claims 1-3, 5-12, 15-17 and 19-22 are rejected under 35 USC 102(b) as allegedly being anticipated by Gadish (US 6202087).

Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

A. REJECTION OF CLAIMS 1-3, 5-12, 15-17 and 19-22 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Gadish, Applicant asserts that Gadish does not teach each and every feature of the claimed invention, as amended. Specifically regarding the Office's rejections of claim 1 (and similarly claims 10 and 17), Applicant submits that Gadish fails to teach each and every feature of claim 1 (and similarly claims 10 and 17), as amended.

Claim 1 (and similarly claims 10 and 17) recites, *inter alia*: "a system for responding to improper requests, wherein a request is deemed improper if a message body associated with the request has a zero length, and wherein the system for responding to improper requests includes a response protocol that utilizes a standard error handling procedure for a first improper request from a requesting resource, issues

an HTTP "OK" response code for N subsequent improper requests from the requesting resource, and then stops responding to the requesting resource altogether."

The Office alleges that Gadish teaches the feature: "wherein the system for responding to improper requests includes a response protocol that utilizes a standard error handling procedure for a first improper request from a requesting resource, issues an HTTP "OK" response code for N subsequent improper requests from the requesting resource, and then stops responding to the requesting resource altogether" citing "col.5 line 23 thru col.6 line 19" of Gadish generally. Gadish does not teach this feature.

The cited section of Gadish states, *inter alia*, "... if server device 16 is not able to resolve the query, for example because server device 16 cannot match the requested resource name to a resource address, then server device 16 generates and sends an error message. This error message is intercepted by non-error message generator 20, which sends a non-error message to network device 12 in place of the error message." Gadish col.5 lines 23-29. Gadish does not "utilize[] a standard error handling procedure" in sending an error message. Rather, Gadish sends an error message that is intercepted and a non-error message is sent in its place.

Applicant's invention, by contrast, recites a series of responses to repeated improper requests from a requesting source such that the first response utilizes a standard error handling procedure, then an "OK" response for "a set of N subsequent improper requests", and then ceases to respond after "the set of N subsequent improper requests." Gadish teaches interception or error messages followed by generation of non-error messages.

The section of Gadish cited by the Office does not appear to make any reference to a cessation of non-error messages after “a set of N subsequent improper requests.”

For all the above reasons, it is clear that Gadish does not teach each and every feature of Applicant's invention. Therefore, Applicant submits that claim 1 (and similarly claims 10 and 17), as amended, is not anticipated by Gadish.

With respect to the dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependent claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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Date: June 16, 2009

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